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AMERICAN PRESIDENT LINES, LTD. and
6 APL CO. Pte., LTD.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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13 In the Matter of the Arbitration between
14 AMERICAN PRESIDENT LINES, LTD., and
15 APL CO. Pte., LTD.
16 Petitioners,
17 v.
18 D.S.R. SHIPPING CO., INC., a corporation,
19 Respondent.
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No. C 07-03220 SC

DECLARATION OF MARK K.
de LANGIS IN SUPPORT OF MOTION
TO CONFIRM ARBITRATION AWARD

[9 U.S.C. section 9]

Hearing Date: November 16, 2007
Hearing Time: 10:00 a.m.
Courtroom: 1, 17th Floor

The Honorable Samuel Conti

24 I, Mark K. de Langis, hereby declare and state:

25 1. I am a member of the law firm Lucas Valley Law, counsel for Petitioners
26 American President Lines, Ltd. and APL Co. Pte., Ltd. (collectively "APL"). Except as

1 otherwise stated, all the matters set forth herein are of my own personal knowledge and, if called
2 upon to testify, I could and would competently testify thereto.

3 2. I make this declaration in support of APL's motion to confirm its arbitration
4 award against D.S.R. Shipping Co., Inc. ("D.S.R."), in the above-captioned matter.

5 3. On December 26, 2006, I initiated arbitration proceedings, on APL's behalf, with
6 the American Arbitration Association ("AAA") in the matter between APL and D.S.R.

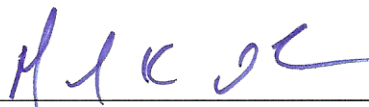
7 4. On February 7, 2007, Ms. Cecilia Pompa, the AAA Case Manager, notified APL
8 (through the undersigned) and D.S.R. that Richard J. Collier, Esq., was appointed arbitrator of
9 the matter between the parties, in accordance with the Rules of the AAA.

10 5. The duly appointed arbitrator, Richard J. Collier, Esq., conducted a Preliminary
11 Hearing on March 14, 2007 and subsequently notified both parties that the arbitration would
12 commence on April 4, 2007, via documents only. On April 4, 2007, I submitted pleadings and
13 proof to the arbitrator to establish D.S.R.'s liability to APL for the dead freight owing as
14 described in the motion filed herewith. Such pleadings and proof were also served upon Peter
15 Rondinone, President of D.S.R.

16 6. Subsequent to that arbitration, I received from the AAA, Mr. Collier's Award of
17 Arbitrator, dated and executed as of April 18, 2007. A true and correct copy of the Award is
18 attached to APL's Petition for Order Confirming Award of Arbitrator as Exhibit C.

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20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct.

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23 Executed this 25th day of September 2007, in San Rafael, California.

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Mark K. de Langis